

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

STEVEN LEIGH NASH, §
§
Petitioner, §
§
VS. § NO. 4:06-CV-012-A
§
DOUGLAS DRETKE, DIRECTOR, TEXAS §
DEPARTMENT OF CRIMINAL JUSTICE, §
CORRECTIONAL INSTITUTIONS §
DIVISION, §
§
Respondent. §

ORDER

Came on for consideration the above-captioned action wherein Steven Leigh Nash is petitioner ("Nash") and Douglas Dretke, Director, Texas Department of Criminal Justice, Correctional Institutions Division, is respondent. This is a petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254. On April 19, 2006, the United States Magistrate Judge issued his proposed findings, conclusions, and recommendation, and ordered that the parties file objections, if any, thereto by May 10, and upon motion from Nash, the court extended that deadline until May 26. On May 25, Nash filed his written objections. Respondent has not made any further response. In accordance with 28 U.S.C. § 636(b)(1) and Rule 72 of the Federal Rules of Civil Procedure, the court makes a de novo determination of those portions of the

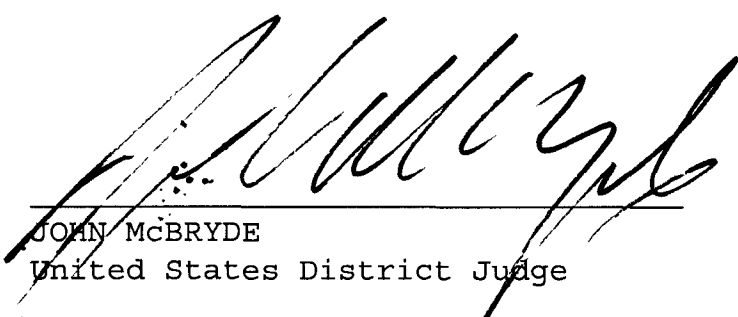
findings or recommendations to which specific objection is made. United States v. Raddatz, 447 U.S. 667 (1980). The court is not addressing any nonspecific objections or any frivolous or conclusory objections. Battle v. United States Parole Comm'n, 834 F.2d 419, 421 (5th Cir. 1987).

The magistrate judge recommended the petition be dismissed as time-barred pursuant to 28 U.S.C. § 2244(b)(1)(A). In his objections, Nash does not address the legal merits of whether his petition is time-barred; instead, he argues solely on the substantive merits of his petition. In other words, Nash has offered no objection tailored to the magistrates judge's conclusion, thus, his petition should be dismissed.

For the reasons stated herein,

The court accepts the findings, conclusions and recommendation of the magistrate judge and ORDERS that the petition be, and is hereby, dismissed as time-barred pursuant to 28 U.S.C. § 2244.

SIGNED May 25, 2006.



JOHN MCBRYDE
United States District Judge